

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KENNETH COUNCIL,

Plaintiff,

VS.

DRAFTKINGS, et al.,

Defendants.

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Civil Action No. 3:24-CV-1370-D

ORDER

I

The United States Magistrate Judge made July 15, 2024 findings, conclusions, and a recommendation in this case (ECF No. 13). After objections were filed, the undersigned district judge reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the court adopts the July 15, 2024 findings, conclusions, and recommendation of the United States Magistrate Judge. Accordingly, plaintiff's July 12, 2024 motion seeking a temporary restraining order or preliminary injunctive relief (ECF No. 10) is denied.

II

Plaintiff's July 16, 2024 motion for a temporary restraining order (ECF No. 14) is denied, essentially for the reasons given in the magistrate judge's July 15, 2024 findings, conclusions, and recommendation. His July 16, 2024 request for reconsideration (ECF No. 15) is also denied.

III

Plaintiff's July 16, 2024 motion for leave to appeal (ECF No. 18) is denied without prejudice as moot. Although the court does not suggest that it will grant plaintiff leave to appeal *in forma pauperis* if he seeks this relief, it notes that this order of the court is appealable under 28 U.S.C. § 1292(a)(1).

SO ORDERED.

August 20, 2024.



SIDNEY A. FITZWATER
SENIOR JUDGE